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Matthew Patricelli
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Atty. Dkt. No. 063391-0202

REMARKS

Courtesies extended to Applicant and Applicant's representatives during the telephone interview of the above-identified matter held July 7, 2005, are acknowledged with appreciation.

As discussed during the telephone interview, in accordance with the present invention, there are provided methods for analyzing complex protein mixtures employing activity based probes (which specifically identify active target proteins). Invention methods are useful for a variety of purposes including provision of diagnostic information concerning pathogenic states, identification of proteins that may act as therapeutic targets, drug discovery, and the like.

By the present communication, claims 1, 10 and 37 have been amended, and claims 38-48 have been added, to define Applicant's invention with greater particularity. No new matter has been introduced by the subject amendments as the amended claim language is fully supported by the specification and original claims. In view of the amendments submitted herewith, claims 5, 11 and 12 have been cancelled without prejudice. In addition, non-elected claims 14-36 have been cancelled without prejudice, subject to Applicant's right to file divisional application(s) based thereon.

Thus, all of the currently pending claims now embrace the subject matter of original claims 11 or 12. Based on the acknowledgement in the Office Action that claims 11 and 12 would be allowable if rewritten in independent form (see page 3, section (5) of the Office Action), it is respectfully submitted that all pending claims are now in condition for allowance.

Upon entry of the amendments submitted herewith, claims 1-4, 6, 8-10, 13 and 37-48 will be pending in this application. A detailed listing of all claims that are, or were, in the application is presented herewith, beginning on page 2, along with an appropriate status identifier.

The withdrawal of the rejections of claims 1-6, 8-13, and 37 under 35 U.S.C. 112, first paragraph, as allegedly failing to comply with the written description requirement; of claims 1-6,

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8-13, and 37 under 35 U.S.C. 112, first paragraph; of claims 1-6, 8-13, and 37 under 35 USC 112, second paragraph, for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention; of claims 1-6, 8-10, 13 and 37 under 35 USC § 102(b) as allegedly being anticipated by Minden et al (US 6,127,134); of claim 12 under 35 USC § 102(b) as allegedly being anticipated by Bronstein (US 4,978,614) is acknowledged with appreciation.

The newly presented rejection of claims 1-6, 8-10, 13 and 37 under 35 USC § 103(a) as allegedly being unpatentable over Minden et al (US 6,127,134), taken in combination with the allegedly admitted prior art as set forth in the specification and further discussed in the Remarks of February 17, 2005, is respectfully traversed. Specifically, the present invention, as defined for example by amended claim 1, distinguishes over Minden by requiring a method for analyzing a complex protein mixture employing activity based probes of defined structure (see original claim 12). Based on the Examiner's acknowledgement that claim 12 would be allowable if rewritten in independent form (see page 3, section (5) of the Office Action), it is respectfully submitted that claim 1, and all claims dependent thereon, are in condition for allowance.

It is respectfully submitted that this rejection is not applicable to newly presented claims 38-48. Applicant's invention, as defined for example by new claim 38, distinguishes over Minden by requiring a method for analyzing a complex protein mixture employing activity based probes of defined structure (see original claim 11). Based on the Examiner's acknowledgement that claim 11 would be allowable if rewritten in independent form (see page 3, section (5) of the Office Action), it is respectfully submitted that claim 38, and all claims dependent thereon, are in condition for allowance.

In view of the amendments and remarks provided herein, it is respectfully submitted that the present application is now in condition for allowance. Accordingly, reconsideration and favorable action on all claims is respectfully requested. In the event any matters remain to be

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resolved in view of this communication, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

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By 

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